

05/10/01

05-11-01

PTO/SB/05 (03-01)

Please type a plus sign (+) inside this box → ☒Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
For the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.UTILITY  
PATENT APPLICATION  
TRANSMITTAL

Attorney Docket No.	CR9-98-027B
First Inventor	P. M. LiVecchi
Title	Performance Enhancements for Threaded Servers
Express Mail Label No.	EK873465545US

(Only for new nonprovisional applications under 37 CFR 1.63(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 59]  
(preferred arrangement set forth below)  
- Descriptive title of the invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table, or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 9]
5. Oath or Declaration [Total Pages 2]  
a. ☐ Newly executed (original or copy)  
b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Delete statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper  
c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Attorney (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 09 / 097,282

Prior application information,

Examiner M. Banankhah

Group Art Unit 2151

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

25259

or

☐ Correspondence address below

Name A. Bruce Clay

T81/503

Address 3039 Cornwallis Road

City Research Triangle Park State NC Zip Code 27709

Country Telephone 919-254-6717 Fax 919-254-4330

Name (Print/Type) Edward H. Duffield Registration No. (Attorney/Agent) 25,970

Signature Date 5/10/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$)

## Complete if Known

Application Number	Not Assigned Yet
Filing Date	May 10, 2001
First Named Inventor	P. M. LiVecchi
Examiner Name	M. Banankhah
Group Art Unit	2151
Attorney Docket No.	CR9-98-027B

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 09-0461  
Deposit Account Name \_\_\_\_\_

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

710.

SUBTOTAL (1) (\$) 710.

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
12	-20** = 0	X	= 0
6	-3** = 3	X	= 18.00
Multiple Dependent			= 0

Large Entity Small Entity

Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 \*\* Reissue independent claims over original patent

110 18 210 9 \*\* Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 54.00

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Code (\$)	Code (\$)	Code (\$)	Code (\$)
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(g)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			
SUBTOTAL (3) (\$)			

\*for number previously paid, if greater; For Reissues, see above

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type)

Edward H. Duffield

Registration No.

25,970

Complete (if applicable)

Telephone

919-254-1301

Signature

*Edward H. Duffield*

Date

May 10, 2001

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: P. LiVecchi

Filed: herewith on May 10, 2001

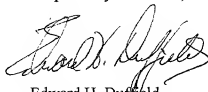
FOR: PERFORMANCE ENHANCEMENTS FOR THREADED SERVERS

Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

The patent application transmitted herewith is being filed under 37 C. F. R. §1.53(b) as a divisional of the Application having serial number 09/097,282, which was originally filed on June 12, 1998. A copy of the signed oath/declaration which was originally filed in the parent case is also transmitted herewith, and is to be used as the oath/declaration for the divisional application. A label has been attached to the front of the copy, indicating this information.

Respectfully submitted,



Edward H. Duffield  
Attorney for Applicant  
Reg. No. 25,970

09/097,282-051001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: P. LiVecchi

Serial No.:                      Group No.: 2151

Filed: Herewith

For: Performance Enhancements for Threaded Servers

Assistant Commissioner of Patents  
Box Patent Application  
Washington, D.C. 20231

**EXPRESS MAIL CERTIFICATE**

"Express Mail" label number: EK873465545US

Date of Deposit: May 10, 2001

**WE REQUEST THE DATE OF DEPOSIT AS THE DATE FILED.**

I hereby certify that the following **attached** correspondence comprising:

1.      Utility Patent Application Transmittal for Divisional (In Duplicate)
2.      Fee Transmittal for FY 2001 (In Duplicate)
3.      Preliminary Amendment
4.      Cover Letter with Declaration & Power of Attorney form.
5.      Patent Application
6.      Business Reply Post Card

is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under CFR 1.10 on the date indicated above and is addressed to:

**Assistant Commissioner of Patents  
Box Patent Application  
Washington, D.C. 20231**

Jennifer Dianne Lane  
(Name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

09552306-051004